

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 3695 - HB 3707

February 25, 2012

SUMMARY OF BILL: Limits the authority of a delegate to an Article V Amendment Convention and prohibits any delegate from Tennessee from voting to consider, approve or propose an unauthorized amendment. Requires the Secretary of State to certify in writing the selection of each delegate to the limited convention and provide a copy of the certification to each delegate. Specifies that a delegate who knowingly violates the oath will be subject to the penalty found in Tenn. Code Ann. § 39-16-402. Requires the Secretary of State to promulgate administrative rules and regulations pursuant to the Uniform Administrative Procedures Act. Authorizes the Attorney General to enforce this Act.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Pursuant to Tenn. Code Ann. § 39-16-402, a public servant who, with intent to obtain a benefit or to harm another, intentionally or knowingly commits an act relating to the servant's office that constitutes an unauthorized exercise of official power or that exceeds the servant's official power; refrains from performing a duty that is imposed by law or that is clearly inherent in the nature of the servant's office; violates a law relating to the servant's office; or receives any benefits not otherwise authorized commits a Class E felony offense.
- The provisions of this bill will not result in a significant increase in the number of Class E admissions.
- Any increase in the caseloads of state trial courts can be accommodated within existing resources without an increased appropriation or reduced reversion.
- According to the Secretary of State, the requirements set out in the bill can be accomplished by the department without an increase in personnel or a reduction in other budget items.
- It is assumed that enforcement of this act can be handled within the normal course of business with existing personnel and resources of the Attorney General's office.
- Any increase in state expenditures will be not significant.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

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